

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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**IN RE: AVANDIA MARKETING, SALES  
PRACTICES AND PRODUCTS LIABILITY  
LITIGATION**

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: **MDL No. 1871**  
: **07-md-01871**  
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**THIS DOCUMENT APPLIES TO:**

***Bowerman v. GSK***

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: **12-cv-3463**  
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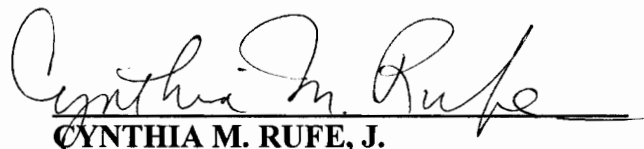
**ORDER**

**AND NOW**, this 9<sup>th</sup> day of April 2014, upon consideration of Defendant's Motion to Dismiss (which the Court converted to a Motion for Summary Judgment), Plaintiff's response thereto, and Defendant's Reply, and for the reasons set forth in the attached Memorandum Opinion, it is hereby **ORDERED** that Defendant's Motion [Doc. No. 2] is **GRANTED**, and Plaintiff's claims against Defendant GSK are dismissed with prejudice as **MOOT** in light of the Settlement Agreement entered into by Defendant and the Arkansas Attorney General.

It is further **ORDERED** that Plaintiff's claims against Defendant Stephen L. LaFrance Pharmacy, Inc. are dismissed, for failure to prosecute, without prejudice to Plaintiff's right to reassert his claims within the applicable statute of limitations.<sup>1</sup>

It is so **ORDERED**.

**BY THE COURT:**

  
**CYNTHIA M. RUFÉ, J.**

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<sup>1</sup> On March 19, 2014, the Court issued an Order instructing Plaintiff that these claims would be dismissed unless Plaintiff filed a properly supported Motion for Default or otherwise showed caused why the pharmacy defendant should not be dismissed within 14 days. Plaintiff has filed no motion or response to the Order.